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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,  
  
Plaintiff,  
  
v.  
  
RUTHIA HE and DAVID BRODY,  
  
Defendants.

Case No. 3:24-cr-00329-CRB

**DECLARATION OF JASON GUI IN  
SUPPORT OF DEFENDANT RUTHIA  
HE'S OPPOSITION TO  
GOVERNMENT'S MOTION TO  
REVOKE**

Date: October 4, 2024  
Time: 11:00 a.m.  
Dept.: Courtroom 6 – 17th Floor  
Judge: Hon. Charles R. Breyer

Date Filed: June 12, 2024

Trial Date: Not yet set

DECLARATION OF JASON GUI IN SUPPORT OF DEFENDANT RUTHIA HE'S  
OPPOSITION TO GOVERNMENT'S MOTION TO REVOKE

Case No. 3:24-cr-00329-CRB

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1 I, Jason Gui, hereby declare as follows:

2 1. I am a New Zealand citizen. I first came to the United States since 2009.

3 2. I graduated in 2013 with a dual bachelor's degree in mechanical engineering (from  
4 the University of Pennsylvania) and marketing and operations management (from the Wharton  
5 School). During college, I interned at various tech companies in the Bay Area. After graduation,  
6 I founded my own startup in San Francisco, which I have been working on since.

7 3. Over the past few months, I have been helping my friend Ruthia He as she, her  
8 family, and her lawyers have worked to secure her release from custody. In particular, I have  
9 done my best to help Ruthia gather documents that her lawyers or the Court needed, including  
10 documents related to Ruthia's travel history, power of attorney, interest in a property in Georgia,  
11 her bank accounts, her travel documents, and her company shares. While Ruthia was in custody, I  
12 also assisted her mother as she relocated to California to be with and support Ruthia. (Ruthia's  
13 mother does not speak any English, but I can speak Mandarin.)

14 4. On Sunday, September 15, four days before Ruthia was released, Ruthia's mother  
15 and I visited Ruthia at Santa Rita Jail. We had recently learned that, on September 13, the Court  
16 had issued an order setting conditions for Ruthia's release and, because Ruthia was in custody, we  
17 wanted to help with any steps necessary to comply with the Court's instructions.

18 5. When I arrived at Santa Rita, I met briefly with one of Ruthia's lawyers, who told  
19 me that Ruthia had asked us to search for her green card and a small "black booklet," which she  
20 thought were stored in a contact lens box, and to take them to her lawyers or deliver them to the  
21 court. I met with Ruthia at Santa Rita that day, too, and she confirmed that I should speak with  
22 her attorneys about instructions for documents to find among her belongings. I knew that her  
23 mother kept her "green card" with her driver's license, but neither I nor Ruthia's lawyer knew  
24 what the "black booklet" was, or where it was, and neither of us had seen it before. I told Ruthia  
25 and her lawyer that I would look for it when I got back to the house.

26 6. I was generally aware that Ruthia's belongings were at the Fremont house. Over  
27 the years, Ruthia had left various boxes and suitcases with friends or in storage. Earlier this  
28 summer, when her mother rented a house in Fremont and Ruthia was in custody, Ruthia had

1 asked her friends to deliver her possessions—her clothes, books, electronic devices, and so on—  
2 to the house. In total, I estimate that Ruthia had about 30 items at the Fremont house, including  
3 boxes, suitcases, and furniture.

4 7. On Monday, September 16, Ruthia’s mom looked through Ruthia’s belongings,  
5 but was unable to find the “black booklet” that Ruthia had asked us to deliver to her lawyers or  
6 take to court.

7 8. On Tuesday, September 17, I went back to court to attend Ruthia’s hearing before  
8 Judge Tse. Immediately after court, I delivered Ruthia’s green card to Pretrial Services, along  
9 with her current and expired Chinese passports and a green USCIS travel booklet that her lawyers  
10 had been holding. I also lodged the cash, various documents related to her property in Georgia,  
11 and paperwork related to her company shares. In total, I spent approximately three hours in the  
12 clerk’s office, working through the paperwork with them and trying to ensure that Ruthia had met  
13 the requirements for her release. In particular, the clerk’s office was unsure how to lodge the  
14 shares and still had not managed to resolve that issue by the time they closed at 3pm.

15 9. On the way home from court that day, Ruthia’s mother and I were involved in  
16 four-car accident on the highway: the car I was driving had a tire blowout, and various other cars  
17 collided into each other as a result. Our car had to be towed, and, after talking to law enforcement  
18 and waiting for the repairs, Ruthia’s mother and I eventually made our way back to Fremont.

19 10. That evening, when I was working at the Fremont house, Ruthia’s mother found  
20 and brought me a black booklet. Ruthia’s mother said that she had found it in one of Ruthia’s  
21 suitcases, which she had continued to search even after we surrendered other documents earlier  
22 that day. She asked whether the booklet she had found was the document Ruthia had asked us to  
23 surrender. I told her that I was not sure what the document was but that I would ask Ruthia’s  
24 lawyers how to proceed.

25 11. I traveled to San Francisco on Wednesday and Thursday for my own work  
26 meetings. I had left the black travel booklet at the Fremont house, in the room I was using, stored  
27 safely with my own identification documents. I stayed overnight in a hotel in San Francisco  
28 because I had a 7am meeting and did not return to Fremont, so did not have an opportunity to

1 pick up the booklet. I then attended court to support Ruthia, and during the hearing, I learned that  
2 she would be released later that day. At the time, we were focused on finalizing paperwork  
3 related to Ruthia's shares, which I understood would be required before Ruthia was released.  
4 Because I was focused on helping Ruthia resolve the issues with her share paperwork, and  
5 because I did not have the booklet with me, I forgot to tell Ruthia's lawyers about it or ask them  
6 what to do with it.

7 12. That afternoon, I went to wait at Santa Rita Jail in anticipation of Ruthia's release.  
8 It took several hours before she emerged. When we got back to the Fremont house, approximately  
9 six armed DEA agents searched the house. They found Ruthia's black travel document where I  
10 had left it, in a bag with my own documents. Ruthia had nothing to do with placing the document  
11 there, and had never even been to the house prior to the search.

12 13. The days leading up to Ruthia's release were hectic and demanding. I performed  
13 various tasks that week to help Ruthia secure her release, without fully understanding all of them.  
14 I feel terrible that I forgot to update Ruthia's lawyers about this travel booklet or deliver it to  
15 Pretrial Services or the clerk. I understood from Ruthia's lawyers that Ruthia had asked us to do  
16 so, and it was certainly my intention to do so.

17 I declare under penalty of perjury under the laws of the United States of America that the  
18 foregoing is true and correct and that this declaration was executed on October 3, 2024 in  
19 Sunnyvale, California.



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20  
21 JASON GUI